



Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number: 00026.04CON	Application Number: 10/734,902
Applicant:	Joshua D. RABINOWITZ et al.
Filing Date:	12/12/2003
Group Art Unit:	Not Yet Known

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
M	1.	02/02/1971	3,560,607	Hailty			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	01/23/1990	4,895,719	Radhakrishnun et al.			
	4.	09/17/1991	5,049,389	Radhakrishnun			
	5.	03/08/1994	5,292,499	Evans et al.			
	6.	02/14/1995	5,388,574	Ingebretsen			
	7.	08/13/1996	5,544,646	Lloyd et al.			
	8.	08/12/1997	5,655,523	Hodson et al.			
	9.	12/09/1997	5,694,919	Rubsamen et al.			
	10.	04/07/1998	5,735,263	Rubsamen et al.			
	11.	04/14/1998	5,738,865	Baichwal et al.			
	12.	06/02/1998	5,758,637	Ivri et al.			
	13.	06/29/1999	5,915,378	Lloyd et al.			
	14.	08/10/1999	5,934,272	Lloyd et al.			
	15.	09/28/1999	5,957,124	Lloyd et al.			
	16.	10/05/1999	5,960,792	Lloyd et al.			
	17.	11/30/1999	5,993,805	Sutton et al.			
	18.	03/28/2000	6,041,777	Faithfull et al.			
	19.	04/18/2000	6,051,566	Bianco			
	20.	08/01/2000	6,095,153	Kessler et al.			
	21.	08/15/2000	6,102,036	Slutsky et al.			
	22.	10/31/2000	6,140,323	Ellinwood, Jr. et al.			
	23.	06/05/2001	6,241,969	Saidi et al.			
	24.	07/03/2001	6,255,334	Sands			
M	25.	10/23/2001	6,306,431	Zhang et al.			

EXAMINER:

Witt

DATE CONSIDERED:

11/29/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449		Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

M	26.	07/16/2002	6,420,351	Tsai et al.				
	27.	01/14/2003	6,506,762	Horvath et al.				
	28.	02/04/2003	6,514,482	Bartus et al.				
	29.	07/15/2003	6,591,839	Meyer et al.				
	30.	09/06/2001	US 2001/0020147	Staniforth et al.				
	31.	03/28/2002	US 2002/0037828	Wilson et al.				
	32.	05/16/2002	US 2002/0058009	Bartus et al.				
	33.	07/04/2002	US 2002/0086852	Cantor				
	34.	08/22/2002	US 2002/0112723	Schuster et al.				
	35.	11/28/2002	US 2002/0176841	Barker et al.				
M	36.	01/02/2003	US 2003/0004142	Prior et al.				

RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

M	37.	08/04/2003	10/633,876	Hale et al.				
	38.	08/04/2003	10/633,877	Hale et al.				
	39.	12/30/2003	10/749,537	Rabinowitz et al.				
	40.	12/30/2003	10/749,539	Rabinowitz et al.				
	41.	01/27/2004	10/766,149	Rabinowitz et al.				
	42.	01/27/2004	10/766,279	Rabinowitz et al.				
	43.	01/27/2004	10/766,566	Rabinowitz et al.				
	44.	01/27/2004	10/766,574	Rabinowitz et al.				
	45.	01/27/2004	10/766,634	Rabinowitz et al.				
	46.	01/27/2004	10/766,647	Rabinowitz et al.				
	47.	01/28/2004	10/767,115	Rabinowitz et al.				
	48.	01/29/2004	10/768,205	Rabinowitz et al.				
	49.	01/29/2004	10/768,220	Rabinowitz et al.				
	50.	01/29/2004	10/768,281	Rabinowitz et al.				
	51.	01/29/2004	10/768,293	Rabinowitz et al.				
M	52.	01/30/2004	10/769,046	Rabinowitz et al.				

EXAMINER: <i>MH</i>	DATE CONSIDERED: <i>11/29/04</i>
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	

Form PTO-1449		Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

M	53.	01/30/2004	10/769,051	Rabinowitz et al.	1			
	54.	01/29/2004	10/769,157	Rabinowitz et al.				
	55.	01/29/2004	10/769,197	Rabinowitz et al.				
	56.	02/09/2004	10/775,583	Rabinowitz et al.				
	57.	02/09/2004	10/775,586	Rabinowitz et al.				
	58.	03/03/2004	10/791,915	Hale et al.				
	59.	03/03/2004	10/792,001	Rabinowitz et al.				
	60.	03/03/2004	10/792,012	Hale et al.				
	61.	03/03/2004	10/792,013	Rabinowitz et al.				
	62.	03/03/2004	10/792,096	Hale et al.				
	63.	03/03/2004	10/792,239	Hale et al.				
	64.	03/31/2004	10/813,721	Rabinowitz et al.				
	65.	03/31/2004	10/813,722	Rabinowitz et al.				
	66.	03/31/2004	10/814,690	Rabinowitz et al.				
	67.	03/31/2004	10/814,998	Rabinowitz et al.				
	68.	04/01/2004	10/815,527	Rabinowitz et al.				
	69.	04/01/2004	10/816,407	Rabinowitz et al.				
	70.	04/01/2004	10/816,492	Rabinowitz et al.				
	71.	04/01/2004	10/816,567	Rabinowitz et al.				
	72.	08/04/2004	10/912,462	Hale et al.				
	73.	01/23/2003	US 2003/0015196	Hodges et al.				
	74.	04/03/2003	US 2003/0062042	Wensley et al.				
	75.	11/13/2003	US 2003/0209240	Hale et al.				
	76.	01/02/2003	US 2003/0000518	Rabinowitz et al.				
	77.	01/09/2003	US 2003/0005924	Rabinowitz et al.				
	78.	01/09/2003	US 2003/0005925	Hale et al.				
	79.	01/09/2003	US 2003/0007933	Rabinowitz et al.				
	80.	01/09/2003	US 2003/0007934	Rabinowitz et al.				
	81.	01/16/2003	US 2003/0012737	Rabinowitz et al.				
M	82.	01/16/2003	US 2003/0012738	Rabinowitz et al.				

EXAMINER:

Mtt

DATE CONSIDERED:

11/29/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449		Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

83.	1/16/2003	US 2003/0012740	Rabinowitz et al.			
84.	01/23/2003	US 2003/0015189	Rabinowitz et al.			
85.	01/23/2003	US 2003/0015190	Rabinowitz et al.			
86.	01/23/2003	US 2003/0017114	Rabinowitz et al.			
87.	01/23/2003	US 2003/0017115	Rabinowitz et al.			
88.	01/23/2003	US 2003/0017116	Rabinowitz et al.			
89.	01/23/2003	US 2003/0017117	Rabinowitz et al.			
90.	01/23/2003	US 2003/0017118	Rabinowitz et al.			
91.	01/23/2003	US 2003/0017119	Rabinowitz et al.			
92.	01/23/2003	US 2003/0017120	Rabinowitz et al.			
93.	1/30/2003	US 2003/0021753	Rabinowitz et al.			
94.	01/30/2003	US 2003/0021754	Rabinowitz et al.			
95.	01/30/2003	US 2003/0021755	Hale et al.			
96.	02/20/2003	US 2003/0035776	Hodges et al.			
97.	05/15/2003	US 2003/0091511	Rabinowitz et al.			
98.	05/27/2004	US 2004/010148	Hale et al.			
99.	07/31/2003	US 2003/0138382	Rabinowitz			
100.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
101.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
102.	05/20/2004	US 2004/0096402	Hodges et al.			
103.	05/27/2004	US 2004/0099269	Hale et al.			
104.	06/03/2004	US 2004/0105818	Hale et al.			
105.	06/03/2004	US 2004/0105819	Hale et al.			
106.	07/01/2004	US 2004/0126327	Rabinowitz et al.			
107.	07/01/2004	US 2004/0126328	Rabinowitz et al.			
108.	07/01/2004	US 2004/0126329	Rabinowitz et al.			
109.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
110.	07/01/2004	US 2004/0127490	Rabinowitz et al.			
111.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
112.	08/12/2004	US 2004/0156789	Rabinowitz et al.			

EXAMINER:

DATE CONSIDERED:

11/29/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449			Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>			Applicant: Joshua D. RABINOWITZ et al.	
			Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

M	113.	8/12/2004	US 2004/0156790	Rabinowitz et al.	1	1	
M	114.	08/12/2004	US 2004/0156791	Rabinowitz et al.	1	1	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
M	115.	03/14/1990	EP 0 358 114	Europe			
	116.	07/03/2001	EP 1 080 720	Europe			
	117.	08/29/2001	EP 0 606 486	Europe			
	118.	06/13/1991	WO 91/07947	WIPO			
	119.	04/11/1996	WO 96/09846	WIPO			
	120.	05/09/1996	WO 96/13161	WIPO			
	121.	05/09/1996	WO 96/13290	WIPO			
	122.	05/09/1996	WO 96/13291	WIPO			
	123.	05/09/1996	WO 96/13292	WIPO			
	124.	10/03/1996	WO 96/30068	WIPO			
	125.	11/28/1996	WO 96/37198	WIPO			
	126.	08/07/1997	WO 97/27804	WIPO			
	127.	05/28/1998	WO 98/22170	WIPO			
	128.	07/23/1998	WO 98/31346	WIPO			
	129.	08/27/1998	WO 98/36651	WIPO			
	130.	04/08/1999	WO 99/16419	WIPO			
	131.	12/16/1999	WO 99/64094	WIPO			
	132.	01/06/2000	WO 00/00176	WIPO			
	133.	01/06/2000	WO 00/00215	WIPO			
	134.	05/18/2000	WO 00/27363	WIPO			
	135.	05/25/2000	WO 00/29053	WIPO			
M	136.	09/17/2000	WO 00/47203	WIPO			

EXAMINER:

MH

DATE CONSIDERED:

11/29/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449		Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

137.	11/02/2000	WO 00/64940	WIPO				
138.	11/09/2000	WO 00/66084	WIPO				
139.	11/09/2000	WO 00/66206	WIPO				
140.	12/21/2000	WO 00/76673	WIPO				
141.	01/25/2001	WO 01/05459	WIPO				
142.	03/01/2001	WO 01/13957	WIPO				
143.	03/15/2001	WO 01/17568	WIPO				
144.	06/14/2001	WO 01/41732	WIPO				
145.	12/20/2001	WO 01/95903	WIPO				
146.	03/28/2002	WO 02/24158	WIPO				
147.	03/28/2002	WO 02/24158	WIPO				

EXAMINER: <i>MH</i>	DATE CONSIDERED: <i>11/29/04</i>
---------------------	----------------------------------

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449		Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
M	148.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	149.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	150.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	151.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society</i> . 966-974.
	152.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology</i> . 32(5):591-600.
	153.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology</i> . 93(3): 619-628.
	154.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.
	155.	Gonda,I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
	156.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.
	157.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 μ m," <i>J. Aerosol Sci.</i> 17(5):811-822.
	158.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.
	159.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.
	160.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.
	161.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.
M	162.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.

EXAMINER:

Mth

DATE CONSIDERED:

11/29/04

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449		Docket Number: 00026.04CON	Application Number: 10/734,902
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant: Joshua D. RABINOWITZ et al.	
		Filing Date: 12/12/2003	Group Art Unit: Not Yet Known

M	163.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.
	164.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.
	165.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
	166.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.
	167.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.
	168.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.
	169.	Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.
	170.	Vapotronics, Inc. (1998) located at http://www.vapotronics.com.au/banner.htm , 11 pages, (visited on June 5, 2000).
	171.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology & Therapeutics</i> 62(6):596-609.
M	172.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry & Behavior</i> . 55(2):237-248.

EXAMINER: <i>MH</i>	DATE CONSIDERED: <i>11/29/04</i>
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	